

BILL NO. G-88-03-23

GENERAL ORDINANCE NO. G-

Withdrawn

AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating a street thereof.

WHEREAS, a petition to vacate a public street within
the City of Fort Wayne (as more specifically described
below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing
thereon; and

WHEREAS, said Commission has duly forwarded its
recommendation to this body approving said petition, all in
accordance with I.C. 36-7-4-512(2) and this body having held
a public hearing on said vacation as provided in I.C. 36-7-
4-12; and

WHEREAS, this body concurs in the recommendation of the
City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a
public street within the City of Fort Wayne, more
specifically described as follows, to-wit:

A portion of North Hanna Street bounded on the
North by Prospect Avenue, on the East by Lot 24 in
Hedekin's Subdivision, on the South by an existing
east-west alley and on the West by Lot 22 in
Hedekin's Subdivision, more particularly described
as follows:

Beginning at the Northwest corner of Lot 24 in
Hedekin's Subdivision to the City of Fort Wayne. Point
also being the intersection of the South right-of-way
line of Prospect Avenue and the East right-of-way line
of North Hanna Street; thence South on and along the
west lot line of said Lot 24 also being the East right-
of-way line of North Hanna Street a distance of 140
feet to the Southwest corner of said Lot 24 also being
the intersection of the East right-of-way line of North
Hanna Street and the North right-of-way of an existing
east-west alley; thence west on and along the North
right-of-way line of the said east-west alley a
distance of 40 feet to the Southeast corner of Lot 22
in Hedekin's Subdivision also being the intersection of

the North right-of-way line of the said east-west alley and the West right-of-way line of North Hanna Street; thence North on and along the East lot line of said Lot 22 also being the West right-of-way line of North Hanna Street a distance of 140 feet to the Northeast corner of said Lot 22, also being the intersection of the South right-of-way line of Prospect Avenue and the West right-of-way line of North Hanna Street; thence East on and along the South right-of-way line of Prospect Avenue a distance of 40 feet to the Northwest corner of Lot 24 in Hedekin's Subdivision. Point also being the point of beginning.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

Janet G. Bradbury
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

J. Timothy McCaulay
J. TIMOTHY MCCAULAY, CITY ATTORNEY

** Public hearing to be held on _____,
the _____ day of _____, 1988,
in the Council Chambers.

Sandra E. Kennedy, City Clerk

Read the first time in full and on motion by Bradbury,
seconded by Delmon, and duly adopted, read the second time by
title and referred to the Committee on Regulations (and the
City Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Conference Room 128, City-County Building,
Fort Wayne, Indiana, on _____, the _____ day
of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 3-22-88

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____,
seconded by _____, and duly adopted, placed on its
passage. PASSED LOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BRADBURY</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>GiaQUINTA</u>	_____	_____	_____	_____	_____
<u>HENRY</u>	_____	_____	_____	_____	_____
<u>LONG</u>	_____	_____	_____	_____	_____
<u>REDD</u>	_____	_____	_____	_____	_____
<u>SCHMIDT</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: _____

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. _____
on the _____ day of _____, 19____,

ATTEST:

SEAL

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the _____ day of _____, 19____,
at the hour of _____ o'clock _____ M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____,
19____, at the hour of _____ o'clock _____ M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

RECEIPT

No 2763

COMMUNITY DEVELOPMENT & PLANNING

Ft. WAYNE, IND.,

1988

RECEIVED FROM

THE SUM OF

ON ACCOUNT OF

\$

DOLLARS

AUTHORIZED SIGNATURE

LF 24 HEDEKIN'S ADD

M-10
N-2
N-10

PETITION TO VACATE A PORTION OF THE 1400 BLOCK OF N. HANNA

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

See Attached

THE UNDERSIGNED PETITIONERS, DO HEREBY RESPECTFULLY PETITION THE FORT WAYNE CITY PLAN COMMISSION TO VACATE THE FOLLOWING PORTION OF A PUBLIC STREET, WITHIN THE CITY OF FORT WAYNE, INDIANA AND HEREBY DESCRIBED AS FOLLOWS:

THE PORTION OF STREET DESCRIBED AS LOT 23 IN HEDEKIN'S SUBDIVISION OF THE SOUTH HALF LOT 3 WELLS RESERVE, EAST OF SPY RUN AVENUE; ALSO PART SOUTH HALF WELLS RESERVE WEST OF SPY RUN AVENUE IN TOWNSHIP 30 NORTH, RANGE 12 EAST, ACCORDING TO THE PLAT OF SAID ADDITION RECORDED IN PLAT BOOK 4, PAGE 16 IN THE OFFICE OF THE RECORDER.

IT IS ALSO DESCRIBED AS THAT PORTION OF STREET BOUNDED BY THE 700 BLOCK OF PROSPECT AVE. TO THE NORTH, AN ALLEY RUNNING PARALLEL AND IN BETWEEN THE 700 BLOCK OF PROSPECT AVE. & THE 700 BLOCK OF WAGNER AVE. TO THE SOUTH. THE PORTION OF STREET IS BOUNDED BY LOT 22 TO THE WEST & LOT 24 TO THE EAST OF HEDEKIN'S SUBDIVISION OR MORE COMMONLY KNOWN AS 644 PROSPECT AVE. (WEST) & 650 PROSPECT AVE. (EAST).

IN SUPPORT THEREOF, YOUR PETITIONERS WOULD REPRESENT AS FOLLOWS:

1. THAT THEY ARE THE ONLY OWNERS OF THE REAL ESTATE BORDERING BOTH SIDES OF THIS PORTION OF STREET.
2. THAT THIS PORTION OF STREET IS NOT NECESSARY AS INGRESS OR EGRESS TO OTHER PROPERTIES WHATSOEVER.
3. THAT SAID STREET IS IN VERY BAD REPAIR.
4. THAT NO OTHER PERSON, FIRM, OR CORPORATION IS INTERESTED IN OR AFFECTED ADVERSELY BY THE REQUESTED VACATION.
5. THAT THE MAINTENANCE OF SAID PORTION OF STREET IS NOT NECESSARY OR ADVANTAGEOUS TO THE GROWTH OF THE CITY OF FORT WAYNE, AND THAT IT WOULD BE TO THE BEST INTEREST OF THE CITY AND THE CITIZENS THEREOF.
6. THAT THE POSITION AND LOCATION OF SAID PORTION OF STREET WITH RESPECT TO ITS NORTHERN MOST INTERSECTION WITH PROSPECT AVE, REPRESENTS A SERIOUS TRAFFIC HAZARD.
7. THAT THE LOCATION AND LIGHTING OF SAID PORTION OF STREET

CREATES A NUISANCE AND SAFETY HAZARD TO SURROUNDING
HOMEOWNERS.

YOUR PETITIONERS FILE THIS PETITION PURSUANT TO THE AUTHORITY
GRANTED IN INDIANA CODE, SECTION 36-7-4-512 IN ORDER TO
COMPLETE THE VACATION AS ABOVE DESCRIBED.

WHEREFORE, YOUR PETITIONERS PRAY THAT THE ABOVE
DESCRIBED PORTION OF STREET BE VACATED ACCORDING TO THE
PROVISIONS OF THE INDIANA LAW PERTAINING THERETO.

DATED THIS SECOND DAY OF FEBRUARY 1988.

Barbara A. Wynn

ADJACENT PROPERTY OWNER

650 PROSPECT AVE
FTW, IN 46805

ADJACENT PROPERTY ADDRESS

Kirk & Michele Kassing

PETITIONER

644 PROSPECT AVE
FTW, IN 46805

PETITIONER'S ADDRESS

Kirk & Michele Kassing

AGENTS

420-1341 OR 426-4000-WORK
644 PROSPECT AVE
FTW, IN 46805

AGENTS ADDRESS

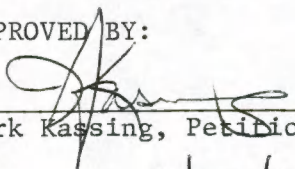
A portion of North Hanna Street bounded on the North by Prospect Avenue, on the East by Lot 24 in Hedekin's Subdivision, on the South by an existing east-west alley and on the West by Lot 22 in Hedekin's Subdivision, more particularly described as follows:

Beginning at the Northwest corner of Lot 24 in Hedekin's Subdivision to the City of Fort Wayne. Point also being the intersection of the South right-of-way line of Prospect Avenue and the East right-of-way line of North Hanna Street; thence South on and along the west lot line of said Lot 24 also being the East right-of-way line of North Hanna Street a distance of 140 feet to the Southwest corner of said Lot 24 also being the intersection of the East right-of-way line of North Hanna Street and the North right-of-way of an existing east-west alley; thence west on and along the North right-of-way line of the said east-west alley a distance of 40 feet to the Southeast corner of Lot 22 in Hedekin's Subdivision also being the intersection of the North right-of-way line of the said east-west alley and the West right-of-way line of North Hanna Street; thence North on and along the East lot line of said Lot 22 also being the West right-of-way line of North Hanna Street a distance of 140 feet to the Northeast corner of said Lot 22, also being the intersection of the South right-of-way line of Prospect Avenue and the West right-of-way line of North Hanna Street; thence East on and along the South right-of-way line of Prospect Avenue a distance of 40 feet to the Northwest corner of Lot 24 in Hedekin's Subdivision. Point also being the point of beginning.

Revised Legal Description for Vacation of 1400 Block of North Hanna Street.

Prepared by: Richard Kunkel

APPROVED BY:


Kirk Kassing, Petitioner/Agent

Date: 2/23/88

CDP#331

ORIGINAL

ORIGINAL

DIGEST SHEET

Street Vacation Ordinance

Y-88-03-23

TITLE OF ORDINANCE

DEPARTMENT REQUESTING ORDINANCE

Land Use Management - CD&P

SYNOPSIS OF ORDINANCE

Portion of the 1400 Block of North Hanna Street

EFFECT OF PASSAGE

Property is presently dedicated right-of-way. Property will

be vacated and revert to the ownership of the adjacent property owners.

EFFECT OF NON-PASSAGE

Property will remain dedicated right-of-way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE (J.N.))

FACT SHEET

G-88-03-23

BILL NUMBER

**Division of Community
Development & Planning****BRIEF TITLE**

Street Vacation Ordinance

APPROVAL DEADLINE**REASON****DETAILS****Specific Location and/or Address**

Hanna Street south of Prospect Avenue intersection.

Reason for Project

Not Given

Discussion (Including relationship to other Council actions)

21 March 1988 - Public Hearing

John Shoaff, President of the Commission stated that the petitioner had submitted a written request for a months deferral. He stated the reason was a scheduling conflict which prevented him from being at the meeting that evening. No motion was made and the request for deferral was denied.

Merle Goodin, 723 Wagner Street appeared in opposition to the request. He stated that he never goes out Wagner onto Spy Run Avenue because if the configuration of Spy Run. He stated that he always goes up Hanna Street and turns on Prospect to Spy Run, because it is a better view of Spy Run. He stated that he felt it was unsafe to pull off of Wagner onto Spy Run because of the curve. He also presented a petition with 12 names of residents opposed to the request.

Elsie Jacox, 702 Prospect Av, stated that this vacation was part of a bus route. She stated that she felt this portion of Hanna was also needed for an emergency route.

POSITIONS**RECOMMENDATIONS****Sponsor**

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents**

Applicant(s)
Kirk Kassing
City Department

Other

Opponents

Groups or Individuals
Merle Goodin, Elsie Jacox,
Carolyn Tracy

Basis of Opposition

-street necessary for ingress egress;
-street needed for emergency route

**Staff
Recommendation**

☐ For ☒ Against

Reason Against

-would impact convenience of existing access routes used by citizens of Fort Wayne

**Board or
Commission
Recommendation**

By

☐ For ☐ Against
☒ No Action Taken

☐ For with revisions to conditions
(See Details column for conditions)

**CITY COUNCIL
ACTIONS
(For Council
use only)**

☐ Pass ☐ Other
☐ Pass (as amended) ☐ Hold
☐ Council Sub. ☐ Do not pass

DETAILS

POLICY/ PROGRAM IMPACT

Name of person in opposition inaudible. She stated that she had lived with Mrs. Jacox last summer. She stated that Hanna is the only cross street connecting Wagner with Prospect. She stated that to her that is a route that is really needed. She stated that parking is always at a premium in the area and that there is parking on only one side of Prospect.

Carolyn Tracy stated that the street is used by many of the area residents. She stated that at the last neighborhood association meeting the petitioner had met with the Board and only the Board to explain why he was requesting the vacation.

Robert Hutner questioned if the association had voted on the issue.

Ms. Tracy stated that no one in the association knows what the Board's decision was.

There was no one else present who wished to speak in favor of or in opposition to the proposed vacation.

28 March 1988 - Business Meeting

John Shoaff stated that he had spoken with the petitioner and Mr. Kassing was requesting that the vacation request be WITHDRAWN.

Motion was made by Robert Hutner, seonded by Mel Smith to Withdraw the petition.

Of the seven (7) members present six (6) voted in favor of the motion one (1) did not vote. Motion carried.

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start

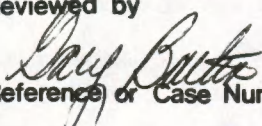
Date 19 February 1988

Projected Completion or Occupancy

Date 29 March 1988

Fact Sheet Prepared by
Patricia Biancaniello

Date 29 March 1988

Reviewed by

Reference or Case Number

Date
2/31/88

BILL NO. G-88-03-23

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the
Thoroughfare Plan of the City Comprehensive ("Master") Plan
by vacating a street thereof

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~) withdrawn

YES

NO

Janet G. Bradbury

JANET G. BRADBURY
CHAIRPERSON
MARK E. GIAQUINTA
VICE CHAIRMAN
CHARLES B. REDD

Charles B. Redd

David C. Long

DAVID C. LONG
PAUL M. BURNS

CONCURRED IN

4-12-88

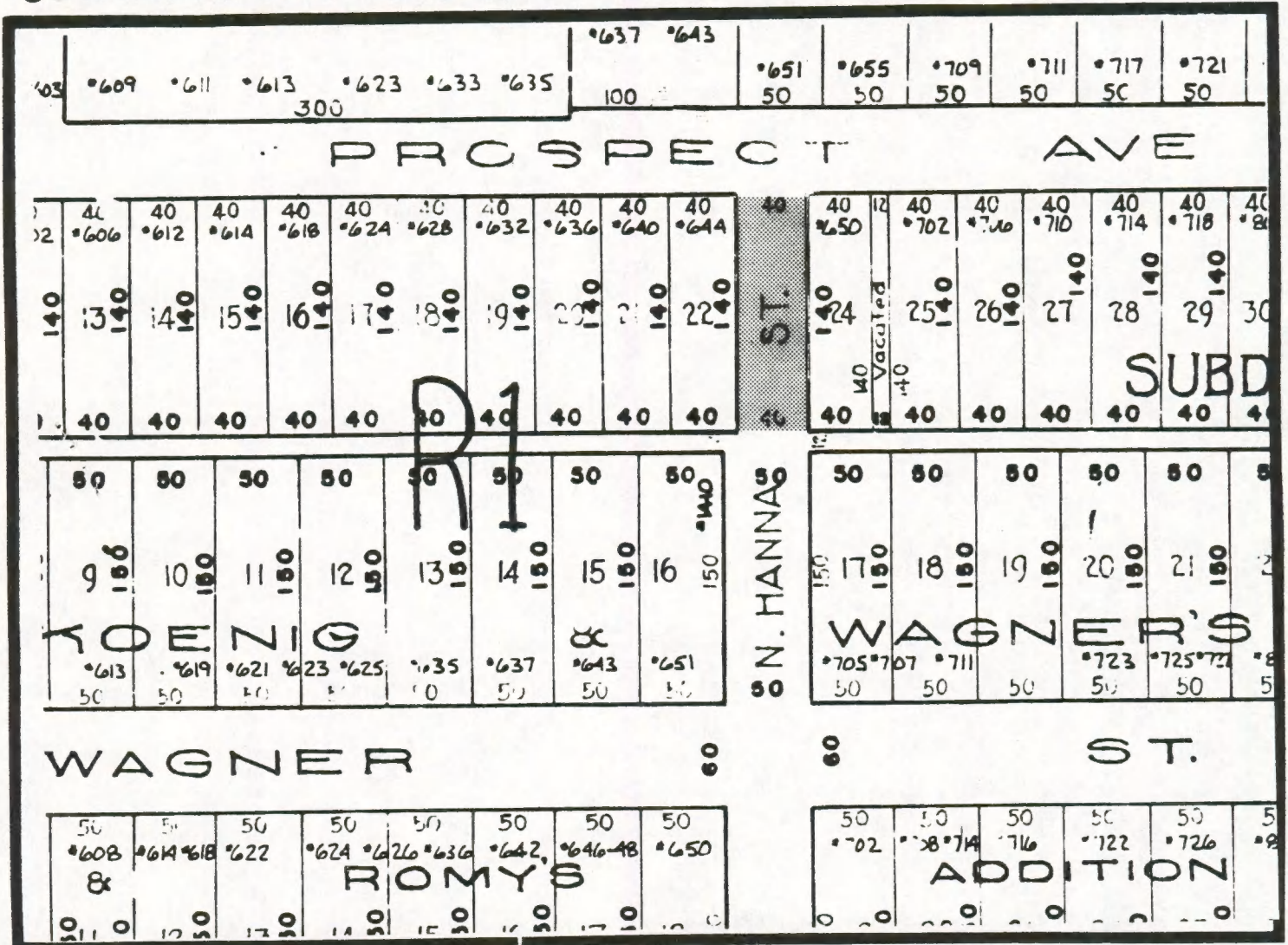
Sandra E. Kennedy
Sandra E. Kennedy
City Clerk

VACATION PETITION #331

A PETITION TO VACATE THE DESCRIBED PUBLIC STREET.

MAP NO. N-10

COUNCILMANIC DISTRICT NO. 3



ZONING:

RI RESIDENTIAL DISTRICT

LAND USE:

☐ SINGLE FAMILY

SCALE: 1"=100'

DATE: 2-29-88

